IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 1067 of 2003

Manoj P. Khatwani .. Applicant

Vs.

Asstt. Commissioner of Customs & Anr. .. Respondents

Mr. Sachin Sangare i/b

Rajeev Matkar for Applicant

O.A. Nawale for Respondent..

Mr. U. V. Nikam, APP.

CORAM: S.K. SHAH, J.

DATE : 24th April, 2006.

P.C.

Heard both sides. By this application what is challenged is the order of process passed by the Magistrate rejecting the discharge application filed by the Applicant. I do not find any merit in the application as both the courts have given proper reasons showing involvement of the applicant in the conspiracy of smuggling foreign currencies. Moreover there is statement of the applicant recorded by the Customs. Much stress is laid on the applicant having retracted the confession. That cannot be considered at this stage. Application is dismissed.

(S. K. SHAH, J)